

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

3M Company,

Civil No. 08-827 (JNE/SRN)

Plaintiff,

V.

ORDER

Darlet-Marchante-Technologie SA,

Defendant.

The Court has received the Report and Recommendation of the magistrate judge recommending entry of a default judgment. No objections were made to the Report and Recommendation, however, the Court will hold its ruling on the Report and Recommendation in abeyance pending additional information from the counsel for plaintiff. Specifically, the Court is unable to locate evidence that the notice required in Rule 55(b)(2) of the Federal Rules of Civil Procedure has been given. The record does, as the Report and Recommendation observes, contain a certificate of service [Docket No. 73]. That docket number only references service on counsel for plaintiff and makes no reference to the defendant being served. The Court is aware that the defendant corporation is unrepresented, but notice must be given. *See Canal Ins. Co. v. Ashmore*, 61 F.3d 15 (8th Cir. 1995).

Dated: September 17, 2010

s/ Joan N. Erickson
JOAN N. ERICKSEN, Judge
United States District Court